



APPLICATION SPECIAL USE PERMIT

ADMINISTRATIVE CHANGE OF OWNERSHIP OR MINOR AMENDMENT

☒ **Change of Ownership** ☐ **Minor Amendment**

[must use black ink or type]

PROPERTY LOCATION: 1640 KING ST., ALEXANDRIA VA

TAX MAP REFERENCE: 063.04-09-04 **ZONE:** KR

APPLICANT

Name: QBC, LLC DBA: DUNKIN DONUTS / BASKIN ROBINS

Address: 860 CANAL STREET, STAMFORD CT 06902

PROPERTY OWNER

Name: STATE DEPT. FCU

Address: 1630 KING ST, ALEXANDRIA VA 223

SITE USE: ~~BAKERY RETAIL~~ Restaurant

☒ **THE UNDERSIGNED** hereby applies for a Special Use Permit for **Change in Ownership**, in accordance with the provisions of Article XI, Division A, Section 11-503 (5)(f) of the 1992 Zoning Ordinance of City of Alexandria, Virginia.

☒ **THE UNDERSIGNED**, having read and received a copy of the special use permit, hereby agrees to comply with all conditions of the current special use permit, including all other applicable City codes and ordinances.

☐ **THE UNDERSIGNED** hereby applies for a Special Use Permit for **Minor Amendment**, in accordance with the provisions of Article XI, Division A, Section 11-509 and 11-511 of the 1992 Zoning Ordinance of City of Alexandria, Virginia.

☒ **THE UNDERSIGNED**, having obtained permission from the property owner, hereby requests this special use permit. The undersigned also attests that all of the information herein required to be furnished by the applicant are true, correct and accurate to the best of his/her knowledge and belief.

THUY LE, AGENT
Print Name of Applicant or Agent

19599 ASPENDALE SQUARE
Mailing/Street Address

ASHBURN, VA 20147
City and State Zip Code

Thuy
Signature
(703)282.4957 (703)991-4825
Telephone # Fax #
mthuy@ yahoo.com
Email address
11/08/11
Date

DO NOT WRITE IN THIS SPACE - OFFICE USE ONLY

Application Received: _____

Fee Paid: \$ _____

Legal advertisement: _____

ACTION - PLANNING COMMISSION _____

ACTION - CITY COUNCIL: _____

The following information must be furnished to the Department of Planning and Zoning to determine if the current use conducted on the premises complies with the special use permit provisions and all other applicable codes and ordinances.

1. Please describe prior special use permit approval for the subject use.

Most recent Special Use Permit # 2007-0076

Date approved: 08 / 28 / 2007
month day year

Name of applicant on most recent special use permit JN KING

Use ~~BAKERY RETAIL~~ Restaurant

2. Describe below the nature of the *existing* operation *in detail* so that the Department of Planning and Zoning can understand the nature of the change in operation; include information regarding type of operation, number of patrons served, number of employees, parking availability, etc. (Attach additional sheets if necessary.)

THERE IS NO CHANGE FROM CURRENT SUP APPROVAL.
(doc. attached)

3. Describe any proposed *changes* to the business from what was represented to the Planning Commission and City Council during the special use permit approval process, including any proposed changes in the nature of the activity, the number and type of patrons, the number of employees, the hours, how parking is to be provided for employees and patrons, any noise emitted by the use, etc. (Attach additional sheets if necessary)

THERE WILL BE NO CHANGE.

Special Use Permit # _____

4. Is the use currently open for business? ☒ Yes ☐ No

If the use is closed, provide the date closed.

____/____/____
month day year

5. Describe any proposed changes to the conditions of the special use permit:

ONLY OWNERSHIP OF BUSINESS CHANGED. ALL OTHER REMAINS
UNCHANGED (SUCH AS TYPE/USE OF BUSINESS, STAFFS etc.)

6. Are the hours of operation proposed to change? ☐ Yes ☒ No

If yes, list the current hours and proposed hours:

Current Hours:

Proposed Hours:

7. Will the number of employees remain the same? ☒ Yes ☐ No

If no, list the current number of employees and the proposed number.

Current Number of Employees:

Proposed Number of Employees:

8. Will there be any renovations or new equipment for the business? ☐ Yes ☒ No

If yes, describe the type of renovations and/or list any new equipment proposed.

9. Are you proposing changes in the sales or service of alcoholic beverages? ☐ Yes ☒ No

If yes, describe proposed changes:

10. Is off-street parking provided for your employees? ____ Yes X No

If yes, how many spaces, and where are they located?

THERE IS NO ASSIGNED PARKING, BUT EMPLOYEES REQUIRED TO PARK OFF STREET (IF DRIVES TO WORK).

11. Is off-street parking provided for your customers? ____ Yes X No

If yes, how many spaces, and where are they located?

OFF STREET PARKING BASE ON AVAILABILITY (AS FIRST COME FIRST SERVE - METERED)

12. Is there a proposed increase in the number of seats or patrons served? ____ Yes X No

If yes, describe the current number of seats or patrons served and the proposed number of seats and patrons served. For restaurants, list the number of seats by type (i.e. bar stools, seats at tables, etc.)

Current:

Proposed:

13. Are physical changes to the structure or interior space requested? ____ Yes X No

If yes, attach drawings showing existing and proposed layouts. In both cases, include the floor area devoted to uses, i.e. storage area, customer service area, and/or office spaces.

14. Is there a proposed increase in the building area devoted to the business? ____ Yes X No

If yes, describe the existing amount of building area and the proposed amount of building area.

Current:

Proposed:

15. The applicant is the (check one) ____ Property owner X Lessee

____ other, please describe: _____

16. The applicant is the (check one) X Current business owner ____ Prospective business owner

____ other, please describe: _____

17. Each application shall contain a clear and concise statement identifying the applicant, including the name and address of each person owning an interest in the applicant and the extent of such ownership interest. If the applicant, or one of such persons holding an ownership interest in the applicant is a corporation, each person owning an interest in excess of ten percent (10%) in the corporation and the extent of interest shall be identified by name and address.

For the purpose of this section, the term "ownership interest" shall include any legal or equitable interest held in the subject real estate at the time of the application. If a nonprofit corporation, the name of the registered agent must be provided.

Please provide ownership information here:

QUALITY BRAND CAPITAL, LLC.

860 CANAL STREET

STAMFORD, CT 06902

DBA: DUNKIN DONUTS / BASKIN ROBINS

SUP #2007-0076
1640 King Street

DATE: August 28, 2007

TO: Richard Josephson, Deputy Director
Department of Planning and Zoning

FROM: Kendra Jacobs, Planning Technician
Department of Planning and Zoning

SUBJECT: Special Use Permit #2007-0076
Administrative Review for Change of Ownership
Site Use: 1640 King Street
Applicant: JN King
Location: 1640 King Street
Zone : OCH

On February 12, 2005, City Council granted Special Use Permit #2004-0102 to Mazier Choubineh for operation of a Quizno's Sub Restaurant located at 1640 King Street. The current request, Special Use Permit #2007-0076, is to change the ownership of the existing restaurant to JN King, LLC. The applicant is proposing minor interior renovations that will stay in keeping with the character of King Street by using high quality detailing and materials. Staff has retained conditions 4 and 5 which relate to the interior and exterior design as part of this administrative approval.

The restaurant has been closed since early 2007. Staff has not received any complaints from residents or adjacent businesses that would require staff to docket the special use permit for public hearing.

Staff recommends that the special use permit for change in ownership be granted.

ADMINISTRATIVE ACTION - DEPARTMENT OF PLANNING AND ZONING:

Date:

Action:

Richard Josephson, Deputy Director

Attachments: 1) Special Use Permit Conditions
2) Statement of Consent

CONDITIONS OF SPECIAL USE PERMIT # 2004-0102

The new owner(s) is/are responsible for ensuring that the following conditions are adhered to at all times. Violation of any of the conditions may result in fines and/or referral to public hearing by the Planning Commission and City Council.

1. The special use permit shall be granted to the applicant only or to any business or entity in which the applicant has a controlling interest. (P&Z) (SUP #2004-0102)
2. Seating shall be provided for no more than 18 patrons. (P&Z) (SUP #2004-0102)
3. No live entertainment shall be provided at the restaurant. (P&Z) (SUP #2004-0102)
4. The applicant shall prepare a design plan to include interior finishes, colors, materials, furniture, lighting and specifications, which shall be to the satisfaction of the Director of Planning and Zoning and shall include the following elements: (P&Z) (SUP #2004-0102)
 - a. No lighted signage in the windows is permitted.
 - b. Lighting fixtures in the dining area and the serving area shall not contain fluorescent bulbs, tubes, or other fluorescent lighting elements.
 - c. Furniture to be situated near the windows shall consist of wood tables and wood chairs with cloth upholstery.
 - d. Flooring within the dining area shall be ceramic tile.
 - e. Any tiling on the vertical surface of the cashier/service counter shall be a generally solid color and/or design.
 - f. Interior doors leading to or from the dining area shall be constructed of paneled wood.
 - g. Decorative wood interior trim shall include moldings and other detail, such as rosettes.
 - h. Menu boards, if any, shall not be backlighted or have any internal lighting.
5. The design and/or illumination of any signage pertaining to the applicant's business on the exterior facade of 1640 King Street shall be to the satisfaction of the Director of Planning and Zoning. (P&Z) (SUP #2004-0102)

6. The closing hour of the restaurant shall be no later than 12:00 midnight daily. (P&Z) (SUP #2004-0102)
7. The applicant shall post the hours of operation at the entrance to the restaurant. (P&Z) (SUP #2004-0102)
8. No alcoholic beverages shall be sold. (P&Z) (SUP #2004-0102)
9. No food, beverages, or other material shall be stored outside. (P&Z) (SUP #2004-0102)
10. Trash and garbage shall be placed in sealed containers that do not allow odors to escape and shall be stored inside or in a closed container which does not allow invasion by animals. No trash or debris shall be allowed to accumulate on site outside of those containers. (P&Z) (SUP #2004-0102)
11. Kitchen equipment shall not be cleaned outside, nor shall any cooking residue be washed into the streets, alleys or storm sewers. (T&ES) (SUP #2004-0102)
12. The applicant shall control cooking odors, smoke and any other air pollution from operations at the site and prevent them from leaving the property or becoming a nuisance to neighboring properties, as determined by the Department of Transportation & Environmental Services. (T&ES) (SUP #2004-0102)
13. Loudspeakers shall be prohibited from the exterior of the building, and no amplified sounds shall be audible at the property line. (T&ES) (SUP #2004-0102)
14. **CONDITION DELETED. PAID PREVIOUSLY.** ~~The applicant shall provide the City \$1,678.00 for two Model SD-42 Bethesda Series litter receptacles for installation on the adjacent public right of way. Contact T&ES Solid Waste Division (703/751-5130) for information. (T&ES) (SUP #2004-0102)~~
15. The applicant is to contact the Crime Prevention Unit of the Alexandria Police Department at 703-838-4520 regarding a security survey for the business and a robbery awareness program for all employees. This is to be completed prior to opening for business. (Police) (SUP #2004-0102)
16. All loading and unloading shall take place in the loading area on Dechantal Street. (P&Z) (SUP #2004-0102)

17. Meals ordered before the closing hour may be served, but no new patrons may be admitted after the closing hour, and all patrons must leave by one hour after the closing hour. (P&Z) (SUP #2004-0102)
18. Litter on the site and on public rights-of-way and spaces adjacent to or within 75 feet of the premises shall be picked up at least twice a day and at the close of business, and more often if necessary, to prevent an unsightly or unsanitary accumulation, on each day that the business is open to the public. (P&Z) (SUP #2004-0102)
19. The applicant shall require its employees who drive to work to use off-street parking. (P&Z) (SUP #2004-0102)
20. The applicant shall encourage employees to use mass transit or to carpool when traveling to and from work, by posting information regarding DASH and Metro routes, the location where fare passes for transit are sold, and advertising of carpooling opportunities. (P&Z) (SUP #2004-0102)
21. The applicant shall conduct employee training sessions on an ongoing basis, including as part of any employee orientation, to discuss all SUP provisions and requirements. (P&Z) (SUP #2004-0102)
22. The Director of Planning and Zoning shall review the special use permit after it has been operational for one year, and shall docket the matter for consideration by the Planning Commission and City Council if (a) there have been documented violations of the permit conditions which were not corrected immediately, constitute repeat violations or which create a direct and immediate adverse zoning impact on the surrounding community; (b) the director received a request from any person to docket the permit for review as the result of a complaint that rises to the level of a violation of the permit conditions; (c) the director has determined that there are problems with the operation of the use and that new or revised conditions are needed. (P&Z) (SUP #2004-0102)
23. The space that is the subject of this application, located on the ground floor at the north end of the building known as 1640 King Street, shall remain a restaurant or other retail use. (PC) (SUP #2004-0102)
24. **CONDITION ADDED:** The applicant shall comply with any requirements adopted as part of a smoke-free restaurant ordinance.

CITY DEPARTMENT COMMENTS

Legend: C - code requirement R - recommendation S - suggestion F - finding

Transportation & Environmental Services:

F-1 No comments received.

Code Enforcement:

C-1 A fire prevention code permit is required for the proposed operation. An egress plan showing fixture location, aisles and exit doors shall be submitted for review with the permit application.

C-2 Alterations to the existing structure must comply with the current edition of the Uniform Statewide Building Code (USBC).

C-3 Additions and alterations to the existing structure and/or installation and/or altering of equipment therein requires a building permit. Five sets of plans, bearing the signature and seal of a design professional registered in the Commonwealth of Virginia, must accompany the written application. The plans must include all dimensions, construction alterations details, kitchen equipment, electrical, plumbing and mechanical layouts and schematics.

C-4 New construction must comply with the current edition of the Uniform Statewide Building Code (USBC).

C-5 Construction permits are required for this project. Plans shall accompany the permit application that fully detail the construction as well as layouts and schematics of the mechanical, electrical, and plumbing systems.

C-6 The following code requirements apply where food preparation results in the development of grease laden vapors:

- (a) All cooking surfaces, kitchen exhaust systems, grease removal devices and hoods are required to be protected with an approved automatic fire suppression system.
- (b) A grease interceptor is required where there is drainage from fixtures and equipment with grease-laden waste located in food preparation areas of restaurants. Food waste grinders can not discharge to the building drainage system through a grease interceptor.

- C-7 A rodent control plan shall be submitted to this office for review and approval prior to occupancy. This plan shall consist of the following:
- (a) Measures to be taken to control the placement of litter on site and the trash storage and pickup schedule.
 - (b) How food stuffs will be stored on site.
 - (c) Rodent baiting plan.

Health Department:

- C-1 An Alexandria Health Department Permit is required for all regulated facilities.
- C-2 Permits are not transferable.
- C-3 This facility must meet current Alexandria City Code requirements for food establishments. Contact Environmental Health at 838-4400 ext. 250 to arrange for a “change of ownership” inspection.
- C-4 If changes to the facility are to be done, five sets of plans must be submitted to and approved by this department prior to construction. Plans must comply with the Alexandria City Code, Title 11, Chapter 2, Food and Food Establishments. There is a \$135.00 fee for plans review of food facilities.
- C-5 Permits must be obtained prior to operation.
- C-6 The facility must comply with the Alexandria City Code, Title 11, Chapter 10, Smoking Prohibitions.
- C-7 Certified Food Managers must be on duty during all hours of operation.
- C-8 Restrooms, including those in common areas, serving the restaurant, are to meet Alexandria City Code, Title 11, Chapter 2 requirements.
- F-1 This facility is currently vacant
- R-1 Provide a menu or list of foods to be handled at this facility to the Health Department prior to opening.

Police Department:

- R-1 The applicant is to contact the Community Relations Unit of the Alexandria Police Department at 703-838-4520 regarding a security survey for the business.
- R-2 The applicant is to contact the Community Relations Unit of the Alexandria Police Department at 703-838-4520 regarding robbery readiness training for all employees.
- F-1 The applicant is not seeking an A.B.C. permit. The Police Department concurs.

STATEMENT OF CONSENT

The undersigned hereby agrees and consents to the attached conditions of this Special Use Permit #2007-0076. The undersigned also hereby agrees to obtain all applicable licenses and permits required for the restaurant at 1640 King Street.

Applicant - Signature

Date

Applicant – Printed

Date